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11 Attorneys for Plaintiffs
12 ILWU WAREHOUSEMEN'S WELFARE TRUST;
AND PETER COOK and JACK WYATT, as
13 Trustees

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION
17

18 ILWU WAREHOUSEMEN'S WELFARE
TRUST; AND PETER COOK AND JACK
19 WYATT, as Trustees,

20 Plaintiffs,

21 v.

22 WASTE MANAGEMENT OF
ALAMEDA, INC., a California
23 corporation, and RECYCLE AMERICA
ALLIANCE, LLC, a Delaware limited
24 liability company and doing business in
California,

25 Defendants.
26

Case No. C08-4849 CRB

**JOINT STIPULATED REQUEST AND
[PROPOSED] ORDER CONTINUING
INITIAL CASE MANAGEMENT
CONFERENCE AND RELATED
DEADLINES**

[L.R. 6-2]

1 Plaintiffs ILWU WAREHOUSEMEN'S WELFARE TRUST; AND PETER COOK
 2 and JACK WYATT, as Trustees ("Plaintiffs") and Defendants WASTE MANAGEMENT OF
 3 ALAMEDA, INC. and RECYCLE AMERICA ALLIANCE, LLC ("Defendants"), jointly through
 4 their respective counsel, hereby stipulate to and request that the Court order that the Initial Case
 5 Management Conference and related deadlines be continued for a period of 90 days.

6 1. Pursuant to the Court's Order Setting Initial Case Management Conference
 7 and ADR Deadlines, the Initial Case Management Conference in this action is set for February 6,
 8 2009 at 8:30 a.m.. Other case management deadlines, including the filing of the ADR Certification,
 9 completion of initial disclosures, and filing of the Case Management Statement, are set in relation to
 10 the Case Management Conference.

11 2. By their Complaint in this action, Plaintiffs seek payment of delinquent health
 12 and welfare contributions, interest and liquidated damages, based upon a January 2007 audit report,
 13 and an order requiring a further audit. Defendants have tendered the amounts found due in the audit
 14 report and agreed to a further audit. The remaining issues between the parties are limited, and the
 15 parties wish to explore a settlement without the necessity of further litigation time and expense. The
 16 parties anticipate that a short extension of case management deadlines will enable them to focus their
 17 efforts on resolving this matter.

18 3. Other than the resetting of the date of the initial Case Management
 19 Conference in connection with the reassignment of this action to the Court, there have been no
 20 previous time modifications related to the Initial Case Management Conference or related case
 21 management activities in this case.

22 4. The parties expect that the requested extension of the date for the Initial Case
 23 Management Conference will have no adverse effect on the schedule for the case. No trial date or
 24 other deadlines have yet been set. The parties anticipate that the requested extension will facilitate
 25 the resolution of the parties' dispute and avoid unnecessary time and expense.

26 Therefore, Plaintiffs and Defendants, through their respective counsel, jointly
 27 stipulate and agree as follows:

28

1 1. The Initial Case Management Conference date of February 6, 2009 and related
2 deadlines are vacated.

3 2. The Initial Case Management Conference date is extended to May 8, 2009 or
4 _____, 2009 at 8:30 a.m.

5 3. Related deadlines for ADR and case management activities are extended
6 accordingly, as provided in the Court's Order Setting Initial Case Management Conference and ADR
7 Deadlines.

8 Dated: January 7, 2009.

Dated: January 7, 2009.

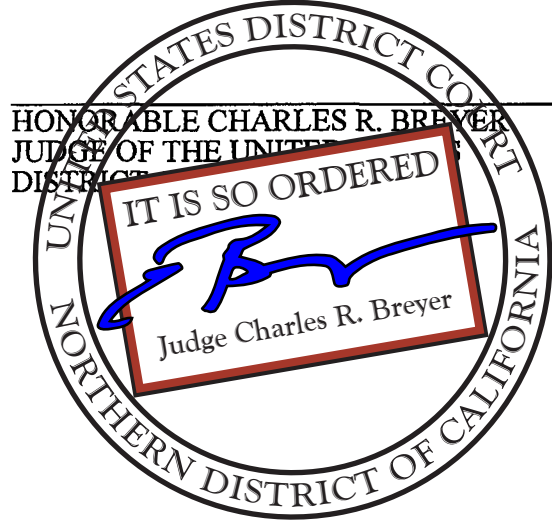
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11 _____
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14 A Professional Corporation
Attorneys for Plaintiffs
ILWU WAREHOUSEMAN'S' WELFARE
TRUST AND PETER COOK AND JACK
WYATT, AS TRUSTEES

11 _____
12 NANCY L. OBER
13 LITTLER MENDELSON
14 A Professional Corporation
Attorneys for Defendants
WASTE MANAGEMENT OF ALAMEDA,
INC. AND RECYCLE AMERICA
ALLIANCE, LLC

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 8, 2009



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